

Message Text

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ACTION L-03

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TO SECSTATE WASHDC 1924
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C O N F I D E N T I A L CAIRO 4855

E.O. 11652: GDS
TAGS: PFOR EG IS
SUBJECT: PRIVILEGES AND IMMUNITIES FOR SFM PERSONNEL

REF: CAIRO 4576

1. POLCOUNS MET APRIL 12 WITH MFA LEGAL DIRECTOR AL-ARABY TO RECEIVE GOE COMMENTS ON DRAFT NOTE CONTAINED REFTEL. AL-ARABY SAID IT NOW LOOKS AS IF MFA MIGHT HAVE TO PRESENT AGREEMENT TO PEOPLE'S ASSEMBLY FOR APPROVAL. ACCEPTANCE OF PROPOSAL OF SEPTEMBER 1, 1975, WHICH GOE CONSIDERED MILITARY AGREEMENT WHICH PRESIDENT COULD APPROVE IN HIS CAPACITY AS COMMANDER-IN-CHIEF, HAD NOT REQUIRED ASSEMBLY APPROVAL. HOWEVER, PRIVILEGES AND IMMUNITIES AGREEMENT WILL REQUIRE EXEMPTING SFM PERSONNEL FROM EXISTING LEGISLATION (E.G. CUSTOMS DUTIES) AND MFA WILL HAVE TO CITE LAW WHEN ISSUING INSTRUCTIONS TO GOE DEPARTMENTS. AL-ARABY SAID MFA STILL HOPES TO FIND WAY TO AVOID SENDING NOTES TO ASSEMBLY.

2. AL-ARABY MADE FOLLOWING SPECIFIC COMMENTS ON CURRENT TEXT:

(A) PARA 4(A). SUBSTITUE "AN" EGYPTIAN INSURANCE COMPANY FOR "THE", SINCE THERE IS MORE THAN ONE EGYPTIAN STATE INSURANCE COMPANY.

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(B) PARA 4 (B). REQUEST SUBSTITUTION OF "SYMPATHETICALLY" WITH "FAVORABLY". POLCOUNS SAID USE OF "FAVORABLY" WOULD APPEAR TO PREJUDGE OUTCOME OF CONSIDERATION AND SUGGESTED ANOTHER WORD BE FOUND. AL-ARABY REQUESTED "FAVORABLY" BE PUT TO DEPARTMENT FOR CONSIDERATION. LATER IN CONVERSATION HE SUGGESTED "IN GOOD FAITH" MIGHT BE POSSIBLE ALTERNATIVE.

(C) PARA 4(C). "FAVORABLY" VICE "SYMPATHETICALLY". ALSO OMIT "IN PARTICULAR CASES".

(D) PARA 8. AL-ARABY SAID MFA CONCERNED ABOUT SUEZ CANAL TOLLS WHICH GOE CANNOT WAIVE. HE SUGGESTED PHRASE USED IN ARTICLE 33 OF 1957 UNEF AGREEMENT BE SUBSTITUTED AFTER "WITHOUT PAYMENT OF FEES OR CHARGES"; I.E. "EXCEPT FOR CHARGES THAT ARE RELATED DIRECTLY TO SERVICES RENDERED." IT WOULD BE UNDERSTOOD THAT THIS APPLIED PRINCIPALLY TO SUEZ CANAL TOLLS. AL-ARABY SAID HE WAS NOT SURE WHETHER UNEF PAID CANAL TOLLS BUT ASSURED POLCOUNDS THAT IF UNEF DID NOT, SFM WOULD GET SAME TREATMENT AS UNEF. ALSO IN PARA 8, AL-ARABY REQUESTED "THEIR ZONES" VICE "EGYPTIAN" AFTER "FROM POINTS OF ACCESS TO." HE SAID "EGYPT" COULD NOT BE MENTIONED IN THIS CONTEXT SINCE BUFFER ZONE WAS EGYPTIAN TERRITORY. HE ASSUMED IBRASHI HAD OBTAINED THIS WORDING FROM 1957 UNEF AGREEMENT WHEN UNEF BUFFER ZONE WAS ON EGYPTIAN BORDER.

3. DEPT. COMMENTS REQUESTED.
EILTS

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